

# LOUDOUN COUNTY PLANNING COMMISSION

## ACTION SUMMARY

WEDNESDAY, FEBRUARY 2, 2011

**REVISED**

6:00 P.M.      WORKSESSION

LOCATION:    PURCELLVILLE ROOM  
Government Center  
1<sup>st</sup> Floor

**Commissioners Present:** Kevin Ruedisueli, Chairman, At Large; Cliff Keirce, Vice Chairman, Dulles District; Erin Austin, Catoctin District; Glen Bayless, Sugarland Run District; Robert Klancher, Broad Run District; Peggy Maio, Blue Ridge District; Gigi Robinson, Leesburg District; Valdis Ronis, Potomac District; Helena Syska, Sterling District.

**Staff Present:** Julie Pastor, Director of Planning; John Merrithew, Assistant Director of Planning; Planners: Jane McCarter, Marchant Schneider; Rory Toth, Building and Development; Nancy Bryan, Recording Secretary.

### A.      WORKSESSION ITEMS

#### 1.      ZMAP 2010-0004, Loudoun Valley Estates III

The Planning Commission forwarded ZMAP 2010-0004, Loudoun Valley Estates III to the Board of Supervisors with a recommendation of denial based on the attached Findings for Denial. **(6-3, Bayless, Keirce, Maio opposed).**

#### Findings for Denial

1.      The proposed remapping of the existing Loudoun Valley Estates III development from the PD-GI zoning district to the R-1 zoning district is inconsistent with the existing land use policies of the Revised General Plan (RGP) (Suburban Policy Area) which specifically designate land bordering Route 606 west and south of the Washington Dulles International Airport for General Industrial uses. RGP policies also state General Industrial uses will not to be adjacent to residential neighborhoods. An R-1 zoning designation would render General Industrial uses adjacent to the site inconsistent with RGP policies and may encourage the development of uses which are incompatible with existing General Industrial uses and the Washington Dulles International Airport.
1.      The Revised 1993 Zoning Ordinance (Zoning Ordinance) allows for a reasonable use of the subject properties. Residential units within LVE III are legal-nonconforming uses which are taxed equivalent to residentially zoned properties of similar size. Building permits for construction of exterior structures and interior renovations are accommodated by the Zoning Ordinance. Building additions can be requested by individual landowners through submission of a Special Exception (SPEX) application. There is a reasonable economic use of the subject property under the PD-GI zoning district designation.

2. Sufficient open space and vegetative screening exists within the Loudoun Valley Estates III development to address buffering and performance standards otherwise required for commercial and industrial uses adjacent to a residential district. Further, the Buffer Yard and Screening Matrix of the Zoning Ordinance is use specific and would be applicable under a PD-GI or R-1 zoning designation.

The Planning Commission directed the Planning staff to draft a cover letter to the Board of Supervisors for the Planning Commission's consideration as a letter of transmittal incorporating those items on the November 18, 2010 Stakeholders' Meeting follow-up notes from the Business Community, items 4a, b, and c and any other items that the staff might perceive might be necessary, and convey that the Commission affirms the Route 606 Corridor as an Industrial Corridor. **(8-1, Bayless opposed).**

*A previous motion was made, with the findings below, to forward the application to the Board of Supervisors with a recommendation of approval. **The motion failed 3-6, (Bayless, Keirce, Maio in favor; Austin, Klancher, Robinson, Ronis, Ruedisueli, Syska opposed).***

1. The rezoning of the property to R-1 Single Family Residential will grant homeowners of the completed Loudoun Valley Estates III community full use and enjoyment of their properties but will not increase residential density.
2. The rezoning will not amend the Revised General Plan's (RGP) planned land use designation for the subject property (General Industrial). Loudoun Valley Estates III is a unique land use circumstance within the Route 606 corridor that will not be duplicated within the Route 606 Corridor, under the currently adopted land use policies of the RGP.
3. Significant open space (99.5+ acres) and enhanced vegetative screening currently existing within Loudoun Valley Estates III will provide buffering to adjacent industrial and commercial land uses consistent with RGP policies.
4. The rezoning addresses development restrictions associated with an established residential development located within a PD-GI Zoning District and will not preclude either the continued industrial development on surrounding PD-GI properties or the associated infrastructure improvements planned to serve industrial development in the area.
5. The existing residential uses within Loudoun Valley Estates III are generally consistent with the R-1 Zoning District requirements of the Revised 1993 Zoning Ordinance (Zoning Ordinance).
6. Permitted uses within the currently PD-GI zoned properties adjacent to Loudoun Valley Estates III will not be subject to increased building and parking lot setback requirements when adjacent to a subsequently zoned R-1 Residential Zoning District as provided in the PD-GI Zoning District regulations of the Zoning Ordinance.
7. Approval of the rezoning will not generate additional traffic or service demands.

## **2. SPEX 2010-0013, Luck Stone Inter-Quarry Tunnel**

The proposed Conditions of Approval were discussed. Staff recommends the proposed plat and conditions for the inter-quarry tunnel incorporate the existing plat areas approved with quarry SPEX 1990-0019, and the bridge/conveyor SPEX 1990-0006, as well as the remaining applicable Conditions of Approval for each of these previously approved special exceptions. The applicant prefers to keep the inter-quarry tunnel plat and Conditions of Approval separate from those approved with the quarry SPEX 1990-0019 and the bridge/conveyor SPEX 1999-0006.

Other issues discussed included construction timing; monitoring prior to and following construction; mitigation of catastrophic impact; County Attorney's response regarding insurance; maintenance of the Goose Creek flow.

The Planning Commission forwarded SPEX 2010-0013, Luck Stone Inter-Quarry Tunnel to a worksession for further review. **(9-0).**

## **B. DISCLOSURES**

1. Mr. Klancher had a conversation with Mike Banzhaf and exchanged e-mails with Scott Plein regarding the Loudoun Valley Estates III application.
2. Ms. Maio had an e-mail exchange on January 26, 2011 with Henry Plaster regarding the Steptoe Hill Tree Monopole application; had a number of e-mail and telephone exchanges with Andrew Painter and Bill Keefe regarding the Luck Stone application.
3. Mr. Keirce met on January 21, 2011 with Bill Fissel, applicant representative, and residents who had transportation concerns regarding the Dulles Town Center application; on January 25, 2011 had a meeting with County Planning staff, Office of Transportation Services staff, and Fox Gate representatives regarding the Fox Gate application, discussing Regional transportation proffers; met on January 27, 2011 with Russ Gestl regarding the Arcola Center – The Shops, Arcola Center application; on February 2, 2011 had an e-mail exchange with Charlie Jackson regarding the Fox Gate application.
4. Ms. Syska exchanged e-mails this week with Russ Gestl regarding the Arcola Center – The Shops, Arcola Center application.
5. Ms. Robinson met with Bill Fissel; will be meeting with Russ Gestl regarding the Arcola Center – The Shops, Arcola Center application.
6. Ms. Austin had multiple contacts with the applicant representatives for the Luck Stone application.
7. Mr. Klancher had e-mail exchanges with the applicant's counsel for Luck Stone; had a conversation and exchanged e-mails with Russ Gestl regarding the Arcola Center – The Shops, Arcola Center application; met with Art Fucillo and Mike Banzhaf regarding the Dulles Town Center application.
8. Mr. Ruedisueli had a telephone conversation on January 20, 2011 with John McGranahan regarding the Fox Gate application; on January 20, 2011 had an e-mail exchange with Charlie Jackson regarding the Fox Gate application; on January 24, 2011 had a telephone conversation with Molly Novotny regarding the Guilford Drive data centers; today had a telephone conversation with Andrew Painter regarding the Luck Stone tunnel.